

THE STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES LAND RESOURCES MANAGEMENT

WETLANDS BUREAU

29 Hazen Drive, PO Box 95, Concord, NH 03302-0095 Phone: (603) 271-2147 Fax: (603) 271-6588

Website: http://des.nh.gov/organization/divisions/water/wetlands Application Status & Permit Copies: http://des.nh.gov/onestop



PERMIT APPLICATION INSTRUCTIONS & REQUIRED ATTACHMENTS

- Your application will be returned to you if items marked with (↑) are not provided with your application.
- The links below are also available on the Wetlands Bureau Technical Assistance webpage: http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm
- Provide attachments in the order listed.
- A. <u>Application Fee</u> (RSA 482-A:3,I & Env-Wt 505.01(c))

In the form of a check or money order payable to: "Treasurer-State of NH" Calculated Application fee, see: number 13 on page 4 of the Permit Application

B. Project description (Env-Wt 501 & 505.01)

Permit Application number 3, page 1

C. Required Signatures (Env-Wt 501 & 505.01)

Property Owner (Permit Application number 9, page 2) and Town/City Clerk (Permit Application number 11, page 3)

D. Pre-Application Notes

Include date, staff member and summary of discussion or copies of correspondence

E. Need and Minimization & Avoidance (Env-Wt 302.03, Env-Wt 302.04, 505.01)

Minimum:

Attach statements demonstrating:

- 1. The need for the proposed project; and
- 2. That the proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction.

Minor & Major:

Attach statements is response to the 20 questions (Env-Wt 302.04) in Attachment A: http://des.nh.gov/organization/divisions/water/wetlands/documents/wet-permit-app-attach-a.doc

7 F. NHB Review

Follow the instructions below to answer number 5.a., page 1 on the Permit Application

1. Attach the required letter/memo from the Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: https://www2.des.state.nh.us/nhb datacheck/ or by phone (603) 271-2215 x 323.

Questions related to completing this process should be directed to the Natural Heritage Bureau

2. Attach copies of any additional comments received from NHB and/or the NH Fish and Game Department.

G. NH PGP Requirements

NH PGP: http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/NHPGPAug2013.pdf

1. Appendix B:

Attach a completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B – Corps Secondary Impacts Checklist.

Appendix B: http://des.nh.gov/organization/divisions/water/wetlands/documents/pgp-appendix-b.pdf

2. NHDHR

See number 5 on the Appendix B form for the Federal requirement for coordination with the NH Division of Historic Resources (NHDHR). Note: Minimum impact projects are not relieved of the obligation to comply with this PGP's general conditions (Pages 8 - 17 of Appendix B) and other Federal laws such as the National Historic Preservation Act, the Endangered Species Act and the Wild and Scenic Rivers Act. Therefore, consultation with the Corps and/or agencies such as the NH Historic Preservation Officer is required when there is a high likelihood of the presence of resources of concern.

NHDHR: http://www.nh.gov/nhdhr/review/

Questions related to the Appendix B form and NHDHR requirement should be directed to the phone number provided on the Appendix B form.

H. Designated River Check RSA 482-A:3,I(d)(2)

- 1. Refer to the designated river list and map link below to answer no. 5.b., page 1 on the Permit Application. Designated River List & Map: http://des.nh.gov/organization/divisions/water/wmb/rivers/desigriv.htm
- 2. If you are within ¼ mile of a designated river, notify the Local River Advisory Committee (LAC) by sending a copy of the complete application and supporting materials via certified mail

LAC information: http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm

1. **USGS Map** (Env-Wt 501.02(a)(4) & 505.01(g))

Attach a copy of a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined (surveyed property boundaries not required). The map must be at an <u>unaltered</u> scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map).

Topographic Maps: http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm

Photographs (Env-Wt 501.02(a)(3) & 505.01(i))

Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, and any shoreline structures and culvert inlet/outlets

K. <u>Plans</u> (Env-Wt 501.02, Chapter Env-Wt 900)

All projects see: Design Criteria and General Plan Requirements - Guidance Documents B: http://des.nh.gov/organization/divisions/water/wetlands/documents/wet-permit-app-guidance-doc-b.pdf; and,

Stream crossing projects see: Stream Crossing Requirements - Guidance Document C: http://des.nh.gov/organization/divisions/water/wetlands/documents/wet-permit-app-guidance-doc-c.pdf

L. Tax Map (Env-Wt 501.02(a)(1)& 505.01(e))

Attach a legible copy or tracing of the tax map from the municipal office

M. Abutter Notification (Env-Wt 101.03, Env-Wt 501.01(c), 501.02(a)(1)& 505.01(f))

Confirm the submitted tax map illustrates the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters with each lot labeled with the abutter's name(s) and mailing address(es); or provide a list of abutters' names and mailing addresses to cross-reference with the tax map Sample Abutter Notification Letter:

http://des.nh.gov/organization/divisions/water/wetlands/documents/abutter-notification.doc

Abutter Notification Cont'd

Abutter: Any person who owns property immediately adjacent and contiguous to the property on which the project will take place. This does not include those properties across a public road. An abutter includes an owner of any flowage rights on or immediately adjacent to the property on which the project will take place. If the project is located on waterfront or another area which by its configuration would cause the project to affect non-contiguous properties, owners of those properties are considered as abutters. The term does not include the owner of a parcel of land located more than one- quarter mile from the limits of the proposed project. (Env-Wt 101.03)

<u>Exemption</u>: Abutter notification shall not be required for logging operations, projects in utility rights-of-way, or public highway construction.

N. Permission for work within 20 feet (Env-Wt 304.04)

If jurisdictional impacts will occur within 20 feet of an abutting property line or imaginary extension thereof over surface water, signed permission letter(s) from the affected abutters must be included with this application (Env-Wt 304.04).

Letters must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c)). Notarized abutter permission is not required for maintenance projects.

INSTRUCTIONS - APPLICATION SUBMITTAL

- **EXPEDITED REVIEW ONLY**: Submit the original application form and accompanying items to the conservation commission for signature before submitting the application to the town/city clerk for mailing to DES.
- ALL APPLICATIONS: Submit the original application form and accompanying items, with four copies, application
 fee and any required municipal fees (authorized by RSA 482-A:3,I) to the town/city clerk for their required signature
 and required mailing via certified mail to DES. Municipal fees means an administrative fee not to exceed \$10 plus
 the cost of postage by certified mail

DEFINITIONS OF TERMS

Wetlands Rule Definitions: http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wt100.pdf

Env-Wt 101.02 "<u>Abandoned</u>" means the failure, for a period of 5 years, to maintain an existing structure in a condition so that it is functional and intact.

Env-Wt 101.47 "Grandfathered status" means that a structure:

- (a) Was in place before permit jurisdiction under RSA 482-A:3, I or its predecessor statute, RSA 483-A:1, I, took effect, which for areas in or adjacent to tidal waters means June 22, 1967 and for all other jurisdictional areas means July 2, 1969;
- (b) Has remained unaltered in location, size and configuration; and
- (c) Has not been abandoned.